UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

CRYSTAL VIGIL, et al.,)	
Plaintiffs,)	
vs.)	
BAYER, CORP., BAYER HEALTHCARE LLC, BAYER ESSURE, INC., BAYER)	Cause No. 1:16-CV-848
HEATHCARE PHARMACEUTICALS,)	
INC., BAYER A.G.,)	
Defendants.)	

MOTION TO REMAND

Pursuant to 28 U.S.C. § 1447(c) and for the reasons set forth in Plaintiffs' Memorandum in Support of Motion to Remand, which Plaintiffs incorporate herein by reference, Plaintiffs move for an Order remanding this action to the Fourth Judicial District Court for the State of New Mexico for lack of subject matter jurisdiction. Pursuant to D.N.M. LR-Civ. 7.1(a), Plaintiffs' counsel sought concurrence and Defendants oppose. Plaintiffs seek such further and other relief as may be just and proper.

Respectfully submitted,

EGOLF + FERLIC + HARWOOD, LLC

By: /s/ Kate Ferlic

Kate Ferlic Brian Egolf 123 W. San Francisco Street, Second Floor Santa Fe, New Mexico 87501 (505) 986-9641 kate@egolflaw.com brian@egolflaw.com

and

FLEMING | NOLEN | JEZ, LLP G. Sean Jez George Fleming Jessica Kasischke David Hobbs 2800 Post Oak Blvd., Ste. 4000 Houston, Texas 77056 Telephone: (713) 621-7944 sean_jez@fleming-law.com george_fleming@fleming-law.com jessica_kasischke@fleming-law.com david_hobbs@fleming-law.com Pro hac forthcoming

and

ENNIS & ENNIS, P.A. Holly Kelly Ennis, Esq. 110 E. Broward Blvd. Ste. 1700 Fort Lauderdale, FL 33301 (800) 856-6405 hckennis@ennislaw.com *Pro hac forthcoming* Attorneys for PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned herby certifies that a true and accurate copy of the foregoing was served on all counsel of record through the CM/ECF system and served the following counsel via electronic mail on this 3rd day of August, 2016.

Jennifer G. Anderson Alex C. Walker MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.P.O. Box 2168 500 Fourth St. NW, Ste. 1000 Albuquerque, NM 87103-2168 Tel: 505-848-1800 jga@modrall.com awalker@modrall.com

Jonathan F. Cohn Rebecca K. Wood SIDLEY AUSTIN LLP 1501 K Street, N.W. Washington, DC 20005 Telephone: 202-736-8000 jfcohn@sidley.com rwood@sidley.com

Maja C. Eaton SIDLEY AUSTIN LLP One S. Dearborn St. Chicago, IL 60603 Telephone: (312) 853-7000 meaton@sidley.com

Attorney for Defendants Bayer Corporation, Bayer HealthCare LLC, Bayer Essure, Inc., and Bayer HealthCare Pharmaceuticals Inc.

/s/ Kate Ferlic